1 | MARK D. LONERGAN (State Bar No. 143622)
MICHAEL J. STEINER (State Bar No. 112079)
2 | JOSHUA E. WHITEHAIR (State Bar No. 244900)
SEVERSON & WERSON
3 | A Professional Corporation
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4 | San Francisco, CA 94111
Telephone: (415) 398-3344
5 | Facsimile: (415) 956-0439

6 | Attorneys for Defendants
WELLS FARGO & CO. and WELLS
7 | FARGO BANK, N.A. (erroneously sued as
WELLS FARGO HOME MORTGAGE,
8 | INC.)

9

10 | UNITED STATES DISTRICT COURT

11 | NORTHERN DISTRICT OF CALIFORNIA

12

13 | GREGORY YOUNG; ODETTA YOUNG;   Case No.: CV 083735 SI
EDWARD HUYER and CONNIE HUYER,
14 | on behalf of themselves and all others   **WELLS FARGO'S NOTICE OF**
similarly situated,   **MOTION AND MOTION FOR A**
15 | **PROTECTIVE ORDER**
Plaintiffs,
16 | Date: December 12, 2008
vs.   Time: 9:00 a.m.
17 | Dept.:   Courtroom 10
WELLS FARGO & CO., and WELLS   Judge: Hon. Susan Illston
18 | FARGO HOME MORTGAGE, INC.,
Trial Date: Not set
19 | Defendants.   Complaint Date: August 5, 2008

20 | **Accompanying Documents:**
Memorandum of Points and Authorities;
21 | Declaration of Joshua E. Whitehair;
[Proposed] Order
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07685/0196/697490.2   Wells Fargo's Notice of Motion and Motion for a Protective Order
Case No.: CV 083735 SI

1 PLEASE TAKE NOTICE that, on December 12, 2008, at 9:00 a.m., or as soon thereafter

2 as the matter may be heard in the above entitled Court, located at 450 Golden Gate Avenue, San

3 Francisco, California 94102, defendants Wells Fargo & Co. and Wells Fargo Bank, N.A.[1]

4 ("Wells Fargo") will and hereby do move for a protective order deferring the exchange of initial

5 disclosures and staying discovery pending a decision on Wells Fargo's motion to dismiss.

6 This Motion is made pursuant to Federal Rules of Civil Procedure 26(c) and Civil Local

7 Rule 16-2(d) and is based on the good cause which exists to stay discovery and defer the initial

8 disclosures until after the Court decides Wells Fargo's pending motions to transfer venue and,

9 alternatively, to dismiss and strike the complaint.

10 This Motion is based on this Notice, the accompanying Memorandum of Points and

11 Authorities, the Declaration of Joshua E. Whitehair and all other papers on file in this action.

12 DATED: November 26, 2008   SEVERSON & WERSON
                                                A Professional Corporation

13

14
                                                By: _____/s/_____
15   Joshua E. Whitehair

16   Attorneys for Defendants
                                                WELLS FARGO & CO. and WELLS FARGO
17   BANK, N.A. (erroneously sued as "WELLS
                                                FARGO HOME MORTGAGE, INC.)

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19 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
    "conformed" signature (/S/) within this efiled document.

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27 [1]   Erroneously sued herein as Wells Fargo Home Mortgage, Inc.

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CERTIFICATE OF SERVICE

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   I, the undersigned, declare that I am over the age of 18 and am not a party to this action.
3 I am employed in the City of San Francisco, California; my business address is Severson &
Werson, One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

4

   On the date below I served a copy, with all exhibits, of the following document(s):

5

**WELLS FARGO'S NOTICE OF MOTION AND MOTION FOR A PROTECTIVE
ORDER**

6

7 on all interested parties in said case addressed as follows:

8 J. Preston Strom
Strom Law Firm, L.L.C.
9 2110 Beltline Blvd., Suite A
Columbia, SC 29204
10

Mario A. Pacella
11 Strom Law Firm, LLC
2110 Beltline Boulevard, Suite A
12 Columbia, SC 29204

13

14 ✗ **(BY MAIL)** By placing the envelope for collection and mailing following our ordinary
business practices. I am readily familiar with the firm's practice of collecting and processing
15 correspondence for mailing. On the same day that correspondence is placed for collection and
mailing, it is deposited in the ordinary course of business with the United States Postal Service in
San Francisco, California in sealed envelopes with postage fully prepaid.
16

17
   I declare under penalty of perjury under the laws of the United States of America that the
18 foregoing is true and correct. I declare that I am employed in the office of a member of the Bar
of this Court at whose direction the service was made. This declaration is executed in San
Francisco, California, on November 26, 2008.
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                              /s/ *Marilyn C. Li*
21   Marilyn C. Li

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